

(16)

SEP 25 1944

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# In the Supreme Court of the United States

OCTOBER TERM, 1944.

**No. 427.**

GEORGE AND FRANCES BALL FOUNDATION,  
*Petitioner,*

vs.

H. EARL COOK,  
Superintendent of Banks of the State of Ohio in Charge of  
the Liquidation of The Union Trust Company,  
Cleveland, Ohio, Trustee,  
*Respondent.*

## RESPONDENT'S BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI.

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## RESPONDENT'S BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI.

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The Petition for Writ of Certiorari and petitioner's Brief in support thereof, heretofore filed in this case, present the same issues and questions as those presented by the Petition for a Writ and petitioner's Brief in support thereof heretofore filed in case No. 426 on the docket of this Court.

This case and said case No. 426 were tried in and submitted to the District Court on the same record. They were consolidated for argument before the Circuit Court of Appeals and were disposed of in the same Opinion.

The respondent in this case therefore asks leave of Court to refer to, and does hereby refer to, his Brief filed in said case No. 426 for a statement of his position in opposition to the Petition for a Writ filed in this case, and for the

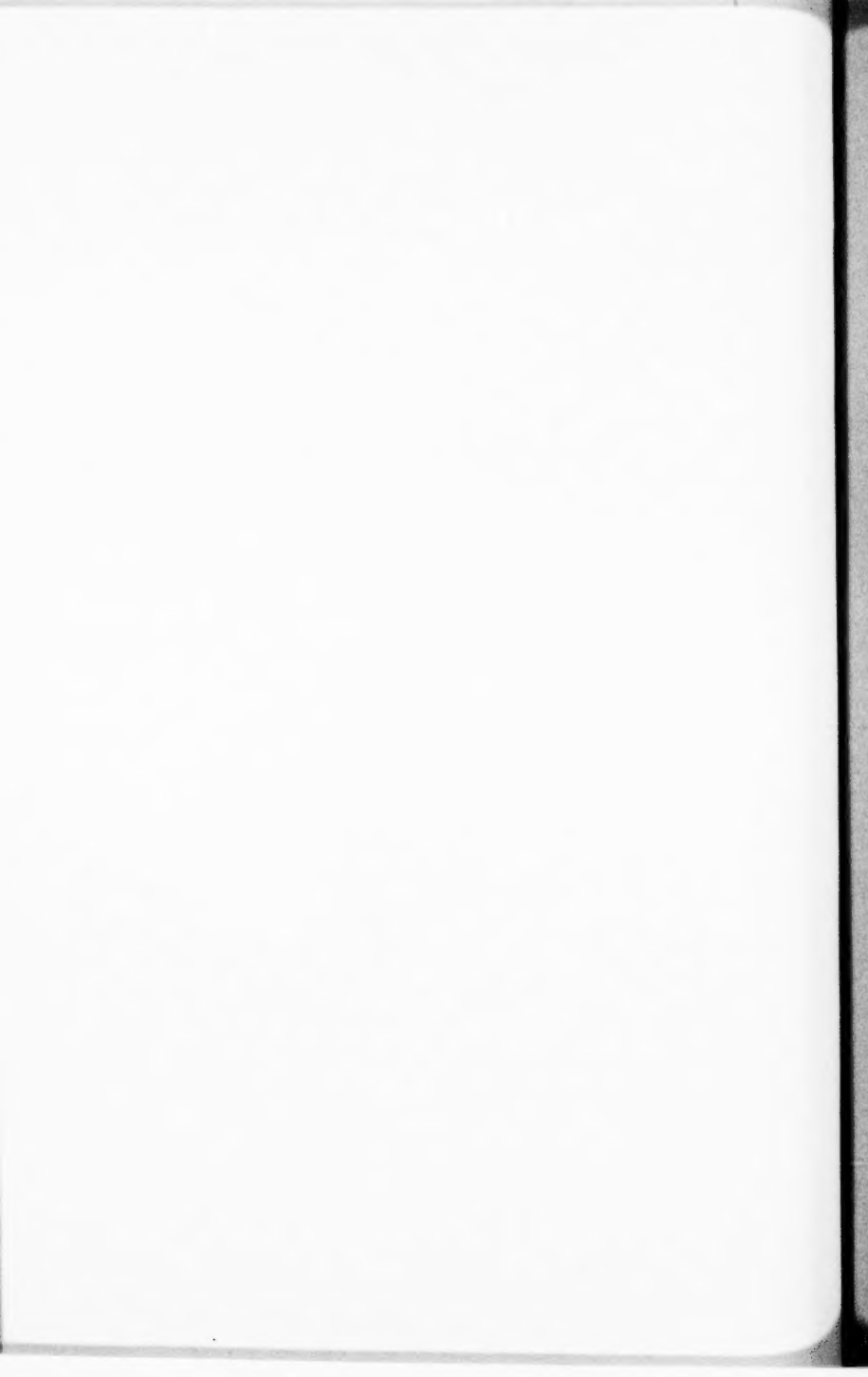
reasons set forth in said Brief, respondent requests that said Petition be denied.

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Supreme Court, U.  
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## PETITIONER'S REPLY BRIEF ON PETITION FOR WRIT OF CERTIORARI.

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